

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Vartec Telecom, Inc. for a Certificate of Public Convenience and Necessity to Offer Local Exchange and Access Services, and to Acquire the Majority Membership Interest in and the Certificate of Public Convenience and Necessity of Choctaw Communications, LLC.

Application 99-04-011
(Filed April 14, 1999)

ASSIGNED COMMISSIONER'S RULING AND SCOPING MEMO

Based on a prehearing conference held December 21, 2001, and pursuant to Public Utilities Code Section 1701.1(b), a scoping memo shall be issued in this proceeding.

Therefore, **IT IS RULED** that:

1. This application involves the request of Vartec Telecom, Inc. (Vartec) for a Certificate of Public Convenience and Necessity (CPCN) to offer local exchange services, and to acquire the majority membership interest in and the CPCN of Choctaw Communications, LLC. (Choctaw).
2. The assigned Commissioner is Carl W. Wood.
3. The assigned Administrative Law Judge, Jeffrey P. O'Donnell, is the principal hearing officer.
4. The category is ratesetting.
5. In Resolution ALJ 176-3014 dated April 22, 1999, the Commission preliminarily determined that hearings were not necessary. However, since this application has been protested, and the parties have been unable to reach a settlement, hearings are necessary.

A.99-04-011 CXW/JPO/sid

6. The Issues are:

- Whether Vartec should be granted a CPCN to provide local exchange services.
- Whether the purchase by Vartec of Choctaw should be approved.
- The subsequent sale of Choctaw to Reconex Acquisition Corp.

7. The Schedule is:

Consumer Services Division testimony	February 5, 2002
Applicant's rebuttal testimony	February 26, 2002
Hearings 2002	March 11 and 12, 2002
Opening Briefs	April 2, 2002
Reply Briefs	April 16, 2002
Submission date	April 16, 2002
Presiding officer's decision	July 15, 2002
Final Commission Decision 2002	September 13, 2002

8. The evidentiary hearings will be held at the Commission Courtroom, 505 Van Ness Avenue, San Francisco, California. Hearings will begin at 10:00 a.m., on March 11, 2002, and at 9:30 a.m. thereafter.

9. The schedule is subject to change.

Dated January 4, 2002, at San Francisco, California.

/s/ CARL WOOD

Carl Wood
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Ruling and Scoping Memo on all parties of record in this proceeding or their attorneys of record.

Dated January 4, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.